

EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Office of Adult Education (Kentucky Skills U)
(Amendment)

13 KAR 3:060. High school equivalency diploma awarded for credit hour completion at Kentucky Community and Technical College System institutions.

RELATES TO: KRS 151B.403 [~~KRS 164.0064~~], 151B.408 [~~164.0234~~]

STATUTORY AUTHORITY: KRS 151B.408 [~~KRS 164.0064(1)~~]

NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.408 [~~KRS 164.0064(1)~~] requires that the Kentucky Skills U [~~Adult Education~~] Program within the Education and Workforce Development Cabinet [~~Council on Postsecondary Education~~] promulgate administrative regulations to establish programs aligned with the College and Career Readiness Standards for Adult Education, or any other similar standards adopted by the federal Office of Career, Technical, and Adult Education, which upon successful completion, shall result in the issuance of a High School Equivalency Diploma. This administrative regulation establishes the criteria and conditions for the issuance of a high school equivalency diploma upon successful completion of credit hours at Kentucky Community and Technical College institutions in certain content areas.

Section 1. Definitions. (1) "Credit for prior learning" means college credit for the college-level knowledge and skills gained from non-college instructional programs or life experiences, including but not limited to credit awarded pursuant to 13 KAR 2:025 and KRS 164.2951(2)(e), employment, military experience, civic activities, and volunteer service. Credit is evaluated through nationally standardized exams in specific disciplines, challenge exams for specific courses at individual institutions, evaluations of non-college training programs, and individualized assessments.

(2) "Eligible candidate" means an individual that:

- (a) Has reached his or her 19th birthday;
- (b) Has not obtained a high school diploma or its equivalent;
- (c) Meets the admission and placement requirements of 13 KAR 2:020; and
- (d) Maintains a Kentucky address.

(3) "KCTCS" means the Kentucky Community and Technical College System as defined in KRS 164.001(13).

(4) "KYSU [~~KYAE~~]" means the Kentucky Skills U [~~Adult Education~~] program within the Education & Workforce Development Cabinet [~~Council on Postsecondary Education~~].

(5) "OCTAE" [~~OVAE~~] means the U.S. Department of Education Office of Career Technical [~~Vocational~~] and Adult Education.

(6) "Successful completion" means:

(a) Passing with a course grade greater than or equal to "C" constituting a 2.0 on a 4.0 scale; or

(b) Being awarded credit for prior learning as indicated on an official KCTCS transcript.

Section 2. Course Requirements. (1) An eligible candidate shall qualify for a Commonwealth of Kentucky High School Equivalency Diploma upon successful completion of a minimum of three (3) credit hours in each of the following content areas as certified with an official KCTCS transcript:

- (a) Written communication;
- (b) Quantitative reasoning;

- (c) Natural sciences; and
- (d) Social and behavioral sciences.

(2) KCTCS and KYSU [~~KYAE~~] shall review the competencies gained in entry-level courses in these content areas. Those entry-level courses with competencies that meet or exceed the skills demonstrated through passing the GED® exam at college ready level shall be eligible for the program and published in a list on the KYSU [~~KYAE's Web site~~] Web site.

Section 3. Issuance of Commonwealth of Kentucky High School Equivalency Diploma. An eligible candidate shall provide the following to Kentucky Skills U [~~Adult Education~~] for the High School Equivalency Diploma to be issued:

- (1) Legal name, date of birth, social security number, phone number, email address, home address, list of eligible courses, and signature;
- (2) A twenty-five (25) dollar non-refundable application and processing fee; and
- (3) An official KCTCS transcript documenting successful completion of the qualifying credit hours.

JOHN C. GREGORY, Executive Director

For JACQUELINE COLEMAN, Secretary

APPROVED BY AGENCY: August 4, 2021

FILED WITH LRC: August 4, 2021 at 4:30 p.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held at October 26, 2021, 1:00 p.m. at 500 Mero Street, 1st Floor, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. on October 31, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Natalie Cummins, GED® Administrator, Office of Adult Education (Kentucky Skills U), 500 Mero Street Mail Stop 5SC, Frankfort Kentucky 40601; phone 502-892-3021; email Natalie.Cummins@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Natalie Cummins

- (1) Provide a brief summary of:

- (a) What this administrative regulation does: KRS 151B.403 requires that the Kentucky Skills U Program within the Education & Workforce Development Cabinet promulgate administrative regulations to establish programs aligned with the College and Career Readiness Standards for Adult Education, or any other similar standards adopted by the federal Office of Career, Technical, and Adult Education, which upon successful completion, shall result in the issuance of a High School Equivalency Diploma.

- (b) The necessity of this administrative regulation: This administrative regulation establishes the criteria and conditions for the issuance of a high school equivalency diploma upon suc-

successful completion of credit hours at Kentucky Community and Technical College institutions in certain content areas.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation currently conforms to the content of the authorizing statutes. The amendment does not change the substance of the current regulation.

(d) How the amendment will assist in the effective administration of the statutes: This regulation currently assists in the effective administration of statutes. The amendment does not change the substance of the current regulation.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment changes naming only.

(b) The necessity of the amendment to this administrative regulation: KYSU no longer resides within the Council on Postsecondary Education. Language changes are necessary to reflect inclusion in the EWDC.

(c) How the amendment conforms to the content of the authorizing statutes: The regulation currently conforms to the content of the authorizing statutes. The amendment does not change the substance of the current regulation.

(d) How the amendment will assist in the effective administration of the statutes: This regulation currently assists in the effective administration of statutes. The amendment does not change the substance of the current regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

High School Equivalency-seekers enrolled in KCTCS; Kentucky Community and Technical College System; Office of Adult Education (Kentucky Skills U).

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The affected entities currently comply with the administrative regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There are no costs associated with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): KCTCS students complying with this regulation will receive a high school equivalency diploma from the Commonwealth of Kentucky.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: This administrative regulation is already being administered as part of basic funding.

(b) On a continuing basis: This administrative regulation is already being administered as part of basic funding.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Office of Adult Education receives Title II Workforce Innovation and Opportunity Act funding (through the Adult Education and Family Literacy Act) and funding through Senate Bill 1 (2000) from the Commonwealth of Kentucky. Additionally, this regulation allows for the collection of a processing fee for issuance of the diploma.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no fees, new or previous, associated with this administrative regulation.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any new fees.

(9) TIERING: Is tiering applied? No.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

Kentucky Community and Technical College System; Office of Adult Education (Kentucky Skills U).

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 151B.403

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This administrative regulation generates negligible revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation generates negligible revenue.

(c) How much will it cost to administer this program for the first year? There is no additional cost to administering this regulation. Costs are covered in the basic funding received by Skills U programs through OAE (KYSU).

(d) How much will it cost to administer this program for subsequent years? There is no additional cost to administering this regulation. Costs are covered in the basic funding received by Skills U programs through OAE (KYSU).

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: